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Enforcement in SALT Verification

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The deteriorating state of Soviet-American relations attending Moscow's invasion of Afghanistan has tended to obscure an exceedingly important fact. This is, the Carter Administration's announced intention to adhere to the terms of the SALT II Treaty, in the absence of Senate ratification. From both a political and a legal point of view, the wisdom of that decision is dubious at best. But given the manifest flaws in the terms of SALT II,¹ and in particular our limited ability to monitor and enforce Soviet compliance with its terms, the Administration's decision is irresponsible.

The Carter Administration, like the Nixon and Ford Administrations before it, officially claims in public that the Soviets have complied with all aspects of both elements of SALT I—the ABM Treaty and the Interim Executive Agreement on Offensive Weapons. This is merely because the U.S. has never charged the Soviets with a SALT violation. But the true record of Soviet activities related to SALT I, which is gradually coming into the open, shows that the Soviets have *not* been in compliance with its terms in several important cases, and that the Carter Administration has tolerated and in some instances even concealed Soviet circumvention and violation. The Carter Administration's misleading of the Congress and the American people on Soviet compliance with SALT I is identical to the Nixon Administration's misleading of the Congress and the people regarding both the meaning of the terms of SALT I in 1972 and Soviet compliance from October 1972 through December 1976.

The consequences of this collective deception are far-reaching, and emphasize the importance of adequate verification in any arms control agreement. Moreover, what that entails is more complex than is generally understood. Most recognize that verification includes intelligence collection and monitoring. But no matter how good that may be, the most important factors in SALT verification are the analysis and enforcement of Soviet compliance.² The purpose of this article is to examine the problems of analysis and enforcement of compliance in SALT verification, based on the record of SALT I and some concerns that have recently arisen affecting the potential verification difficulties with SALT II.

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The SS-19 story is well-known. The Soviets replaced a light ICBM, the SS-11, with the SS-19, a missile that should be categorized as a "heavy" ICBM. The deployment of the SS-19 was an obvious circumvention of Article II of the SALT I Interim Agreement. In 1972 the U.S. threatened abrogation over this event, but instead we merely questioned this occurrence after a long delay in 1975. The Soviets were adamant that the SS-19 be considered a light missile, even though the Soviets have always themselves considered the SS-19 to be a heavy ICBM. We accepted the Soviet's position immediately without protest, and thus they were able to totally circumvent SALT I's Article II.

The Administration argues that "the U.S. and the USSR delegations have agreed in the draft text of the SALT II agreement on a clear demarcation, in terms of missile launch weight and throwweight, between light and heavy ICBMs."³⁰ This U.S. claim is absolutely false. There is no agreed data on the SS-19's launch weight and throwweight. It is also interesting to note that the SS-19 was reportedly first flight-tested in early 1973, but it took U.S. intelligence until early 1975 to develop estimates of its increased size and throwweight with sufficient confidence to "question" the Soviets.³¹ This was in an era, one must point out, before large-scale Soviet telemetry encryption and the loss of Iranian collection sites. If it took over two years to determine the SS-19's characteristics confidently in the pre-encryption days, how long will it take to determine the characteristics of the five new fifth-generation Soviet ICBMs? Moreover, U.S. uncertainties about the volumes of existing Soviet ICBMs are reportedly in the ten-percent range, which is already much greater than the five-percent increase that SALT II allows in new ICBM volume. How can we verify changes of five percent measured from a baseline which we only know to within ten percent?

Compliance Enforcement and SALT II

The record of verification in SALT I, particularly with regard to the problems of analysis and compliance enforcement, is distinctly checkered. What is even more disturbing are the lessons that can be drawn from that record concerning Soviet duplicity and American credulity in the SALT process.

Both the SALT I ABM Treaty and the SALT I Interim Agreement on Strategic Offensive Arms explicitly stated in their preambles that their purpose included the "strengthening of *trust* between states." Dr. Kissinger also emphasized several times in May and June of 1972 that SALT I was supposed to strengthen U.S.-Soviet trust. The Soviets themselves have also stated that trust was important in SALT:

The SALT II agreement presupposes mutual trust and the creation of an atmosphere of good will which would promote the improvement of relations between the USSR and the United States.³²

"Trust" was therefore an important concept in SALT. However, recently published analyses of Soviet negotiating deception in May 1972, together with the massive Soviet camouflage and concealment effort since 1972, and the Soviet record of questionable compliance with important provisions of SALT I, cast certain doubt on the concept of trust and good faith in the SALT negotiations.³³

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trust in SALT. In a State Department document released in 1978, the Administration contradicts itself on the issue of "trust." On page 8 the document states: "... confidence and trust ... are *important* to mutual efforts to establish and maintain strategic arms limitations."³⁴ Five pages later the same document states: "... The United States does not rely on *trust*, on Soviet intentions ... in assessing whether verification of a SALT agreement is adequate."³⁵

Probably because the present Administration does not want to come to grips with the fact that there is now substantial evidence of Soviet deception and bad faith in SALT negotiating and compliance, the preamble to the SALT II Treaty contains absolutely no reference at all to trust. This omission is remarkable, and should raise important questions about the Treaty. The Administration now concedes that although we cannot trust the Russians, we can still "adequately" monitor, verify, and enforce Soviet compliance with SALT II. The question of Soviet negotiating and operational deception is ignored by the Administration, as are the problems of defining a violation and enforcing compliance.

The most serious problems with SALT verification, it should be recalled, do not really deal with the collection and monitoring of intelligence, although these are certainly important. The real problems are analysis and compliance enforcement. It does not do any good to collect good evidence on Soviet strategic activities, if we fail to analyze and understand it properly or to protest illegal Soviet actions.

We should also remember that collection and analysis takes years. It is misleading for the Administration to claim that SALT II will be "adequately" verified and enforced "promptly," and that all "significant" violations will be challenged, in light of the above examples of long delay, obfuscation, and U.S. tolerance of important SALT I circumventions by the Soviet Union. In fact, the available evidence suggests that U.S. SALT verification capabilities are inadequate, and that the intelligence bureaucracy charged with verifying Soviet compliance with any SALT agreement is an unreliable guarantor of our security.

The best indication of the unreliability of our intelligence process is the fact that the historical record of Soviet activities in SALT can be tampered with for political reasons by the White House. Both evidence and analysis of SALT verification issues have on occasions been suppressed within the U.S. intelligence community. As the Pike Congressional Committee reported in 1975:

The spectre of important information, suggesting Soviet violation of strategic arms limitations, purposely withheld for extended periods of time from analysts, decision-makers, and Members of Congress, has caused great controversy within the Intelligence Community.³⁶

And, as Admiral Elmo Zumwalt clearly demonstrated in his January 1976 *Aviation Week* article:

... in six cases cited by Chairman Pike, key intelligence items were withheld at Kissinger's direction for periods in excess of two months—in one case for almost six months.³⁷

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It is *clear* from the SALT I record that intelligence or possible Soviet violation of the Treaty [sic] was, in some cases, and for a time, *withheld* from Executive branch officials who had a need for such information. (Emphasis added.)

But the Senate Intelligence Committee has failed to require procedural changes in the Executive branch which would prevent intelligence from being withheld in the future from Executive and Legislative offices with a "need to know." Moreover, there are still no procedures to prevent information on Soviet SALT violations from being withheld from Congress. There have also been public reports that even Dr. Zbigniew Brzezinski has participated in the suppression of a highly-classified CIA study on Soviet SALT deception.³⁹ Taken with the evidence presented above, one cannot avoid concluding that elements within the U.S. government have suppressed intelligence concerning Soviet non-compliance with all of the SALT-related accords. This suppression, in my opinion, constitutes a clear and present danger to our national security.

The obstacles thus posed to SALT verification, in general, and compliance enforcement, in particular, are compounded by two additional factors. First, there are now severe handicaps to intelligence collection and monitoring of SALT II which did not exist in 1972, when SALT I was signed. We now have to deal with Soviet encryption of missile telemetry, which began on a large scale in 1974. Further, since 1972 two expensive and important U.S. intelligence satellites, the "KH-11" and "Rhyolite," have been compromised by Soviet espionage.⁴⁰ KH-11 was an imagery collection system and Rhyolite was a signal intelligence collector. Indeed, Rhyolite's compromise may have occurred before 1974, and may have contributed to the Soviet decision to encrypt telemetry in the first place. The KH-11 compromise may have stimulated more and better Soviet strategic camouflage and concealment efforts. The U.S. has also lost the vital Iranian listening posts, and our intelligence facilities in Turkey are now also in jeopardy. Finally, the CIA Director stated in April 1979 that U.S. intelligence collection capabilities were at "a peak now."⁴¹ This is consistent with other reports that budgetary constraints have forced a cutback in technical collection capabilities, just as SALT II would take effect.

Under SALT II, we will therefore actually have less collection capability than we had under SALT I, but the future verification challenge will in fact be much greater. SALT II entails *both* quantitative and qualitative constraints on offensive strategic weapons. These more ambitious constraints on weapons characteristics embodied in SALT II should, however, demand even better intelligence collection capability. SALT I's largely quantitative constraints on ICBM and SLBM numbers were a difficult enough challenge for U.S. intelligence. The reduced collection capabilities, together with the remaining quantitative and even more difficult qualitative constraints of SALT II, combine to make our verification capability inadequate to the task set.

Second, all realistic observers should agree, that enforcement of SALT compliance depends ultimately upon the relative balance of power between the U.S. and the USSR. The strategic balance, which is the subject of regulation in SALT, is itself the ultimate measure of power and therefore the means of compliance enforcement.

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It is therefore highly relevant to understand that the strategic balance has shifted dramatically against the U.S. during the course of the 1969-1979 SALT decade. In 1969, when SALT began, there was an approximate parity between the U.S. and the Soviets in strategic forces, as measured in numbers of delivery vehicles. Since then, however, the Soviets have added over 1,000 new operational missile launchers and well over 200 Backfire bombers, while the U.S. has unilaterally maintained a constant number of missile launchers and has actually deactivated over 250 B-52 bombers. While the U.S. has added about 6,000 warheads since 1970, the Soviets will easily exceed the U.S. in warheads and in accuracy by the mid-1980's. Stated another way, according to well-known analyses by the CIA and RAND, the Soviets have spent over \$100 billion more than the U.S. during the 1969-1979 period on strategic forces alone, about 250 percent of U.S. expenditures on strategic forces each year for ten years.

Thus, the present unfavorable strategic balance of 2,060 U.S. launchers to well over 2,650 Soviet launchers has already greatly reduced U.S. enforcement leverage in SALT I compliance. But of even more concern, as the Soviets surpass us in warhead numbers, accuracy, and counterforce capability, the balance will worsen against us further in the future. The Administration's own testimony on SALT II indicates that two of the three legs of our strategic Triad will be vulnerable to a Soviet first strike by 1985, the last year of SALT II. Our ICBMs already have become critically vulnerable in 1980, and our bombers will be vulnerable before 1985. Half our SLBM force is vulnerable now—that is the half in port—and even it will be drawn down soon. Our patrolling SLBMs could well be vulnerable even now, without our knowledge. Carter Administration testimony acknowledges that we will not be able to maintain "essential equivalence" throughout SALT II, and that we will soon move inexorably toward a "minimum deterrence" posture. The Carter Administration refuses to deploy Extremely Low Frequency communications to ensure SLBM survivability, and refuses to consider even one "strategic quick fix" such as deploying SLCMs on Polaris submarines.

In fact, fully within the terms of the SALT II Treaty, the Soviets may be able to achieve a form of strategic superiority. By 1985 they will be able to have 14,500 much more lethal strategic warheads, to our planned 11,900, plus 375 intercontinental Backfire bombers and thousands of other potential intercontinental delivery vehicles not counted in the SALT totals. Collectively, this adds up to counterforce supremacy. (These excluded delivery vehicles are composed of over 1,300 old stockpiled ICBMs, three classes of submarine-based ballistic and cruise missiles totaling over 350 launchers, hundreds of SS-20/16s, and test and training ICBM launchers.) The Soviets will have excluded from SALT II almost as many strategic launchers as in their first-line forces. U.S. strategic forces will be checkmated; mutual deterrence will have ended. But the Administration does not seem to recognize either this shift in the strategic balance or how it handicaps U.S. enforcement of Soviet SALT compliance. In fact, enforcement of Soviet compliance will become ever more difficult as the

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The Soviets, however, recognize very well both the shift in the strategic balance and the advantages this shift gives them. Their concept of global power is the "correlation of forces," which includes military, political, economic, social, and psychological factors. They also know that the correlation of forces shifted in their favor in about 1971, as their military literature points out clearly.

Conclusion

The basic problem with verification is the integrity of the intelligence analysis and dissemination process. This is inherently a very fragile process, and damage to its integrity, timeliness, and accuracy is extremely dangerous. Evidence should never be suppressed. Competing and dissenting analysis must be brought to the attention of our policymakers. Common sense, the "American way," and the need for duplication of functions and debate within the intelligence community suggest that dissent and competitive analysis should be encouraged, rather than being penalized as is so often the case. Evidence that is withheld distorts intelligence analysis, and delays in reporting findings prevent recognition of Soviet deceptions, as the record of SALT I verification efforts clearly indicates.

Second, even without considering the suppression and distortion of intelligence regarding Soviet compliance with SALT, it is readily apparent that the record of U.S. intelligence collection and analysis in counting the numbers of both Soviet ICBMs and SLBMs, the main quantitative constraints of SALT I, is not good. In fact, U.S. intelligence *miscounted* both of these levels during SALT I, and the bias was to *underestimate* as throughout the 1960's. These heretofore unrevealed miscounts were the result mostly of bad analysis. Our declining collection capabilities suggest that such errors are all too likely to be repeated in the future.

Third, we have seen that there are long delays in the analysis of Soviet SALT compliance. Collection, analysis, and enforcement are in fact not prompt, despite Administration claims. In three cases it took respectively seven, three, and two and one-half years after detection to "resolve" a compliance question. Of even greater importance, after these long delays final resolution of *all* significant compliance problems amounted to U.S. acquiescence in Soviet circumvention or violation. The Soviets themselves have also falsified basic data in SALT negotiations and compliance, and they have officially lied to the U.S. several times. The U.S. has only once challenged Soviet falsification, but the Soviets evidently never corrected the record or rectified the situation.

Finally, U.S. enforcement leverage is also weak and declining. U.S. collection and analysis of Soviet SALT violations are meaningless if the Soviets cannot be forced to comply. Enforcement leverage is the single most essential factor in verification, yet this is where we are the weakest. This is a function of U.S. strategic and political weakness vis-a-vis the Soviets. U.S. enforcement leverage has, in fact, decreased over time, and may continue to decline in the future as the strategic

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balance itself continues to shift in favor of the USSR. During the 1970's the Soviets were able to violate with impunity by deploying strategic offensive weapons in Cuba the 1962 agreements ending the Cuban Missile Crisis and the Cienfuegos Agreement of 1971, largely because of this shift. For much the same reason, the U.S. has backed away from three significant U.S. SALT I abrogation threats made in 1972, despite clear-cut Soviet action which the U.S. warned would cause our abrogation. The Soviets in fact went ahead and did all three of these things, but the U.S. did not even protest.

The Soviets have thus taken advantage of the shifting strategic balance and of the failure of U.S. political will to circumvent or openly violate the principal strategic arms limitation agreements reached to date. There is no reason to assume that the USSR will treat the proposed SALT II accords any differently. Indeed, the decline in U.S. intelligence collection capabilities (which hinders detection of violations) and in U.S. strategic capabilities (which inhibits compliance enforcement) suggest that the Soviets will be both more inclined to violate SALT II, and better able to do so successfully, than was the case with SALT I. The consequences of such Soviet behavior could be disastrous for the U.S. and must be averted at all costs.

The present compliance situation regarding SALT II is now quite explicit. The U.S. has publicly pledged full compliance with the provisions of both SALT I and SALT II pending Senate ratification of SALT II. The Soviets, on the other hand, have twice publicly *disavowed* their legal obligation under international law not to do anything to defeat the object and purpose of SALT II pending its ratification. The Soviets have thus explicitly stated their intention not to comply with SALT II. Moreover, their strategic force operations since the invasion of Afghanistan are fully consistent with this Soviet posture of noncompliance.

First, in January 1980 according to several public aerospace industry reports, the Soviets tested their new "Typhoon" SLBM with over 70 percent encryption (encoding) of its radioed telemetry signals. This should be regarded as a direct violation of SALT II provisions requiring that the Soviets not use "deliberate concealment" measures to impair U.S. ability to determine whether they are testing "heavy" SLBMs.

Second, according to an Evans and Novak column of May 18, 1980, and a *New York Times* news report, the Soviets have physically concealed with a canvas tarpaulin part of a newly launched huge submarine which may carry the Typhoon SLBM. This concealment reportedly may hide Typhoon missile launchers. In any case, it arguably violates the SALT II provisions which require that the Soviets allow the U.S. to be able to establish the relationship between new missiles and their launchers by refraining from concealment of either.

EXCERPTED

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NOTES

1. See the articles on this subject in *International Security Review*, Vol. IV, No. II, Summer 1979.
2. This was the central argument of Carnes Lord, "Verification and the Future of Arms Control," *Strategic Review*, Spring 1978.
3. Senator Jake Garn, "The Suppression of Information Concerning Soviet SALT Violations By the U.S. Government," *Policy Review*, Summer 1979, pp 30, 31; Congressman Jack Kemp, "Congressional Expectations of SALT II," *Strategic Review*, Winter 1979, p 23; Senator Jake Garn, "The SALT II Verification Myth," *Strategic Review*, Summer 1979, pp 19, 20; Evans and Novak, *Washington Post*, Dec. 14, 1979.
4. *Ibid.*
5. See David S. Sullivan, "The Legacy of SALT I: Soviet Deception and U.S. Retreat," *Strategic Review*, Winter 1979; David S. Sullivan, "A SALT Debate: Continued Soviet Deception," *Strategic Review*, Fall 1979; David S. Sullivan, *Soviet SALT Deception*, Coalition for Peace Through Strength, December 1979; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20. See also Jack Anderson, "Vance Credibility On Line Over SALT," *Washington Post*, September 21, 1979; Rowland Evans and Robert Novak, "A Pattern of Selective Cheating," *Washington Post*, October 3, 1979; Rowland Evans and Robert Novak, "Verifying the Verification Report," *Washington Post*, October 7, 1979.
6. Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, pp 19, 20. implicit in SALT II Treaty text; Jack Anderson, "How the U.S. Monitors Soviet Arms," *Washington Post*, September 15, 1979; Nicholas Daniloff, "How We Spy on the Russians and Monitor SALT," *Washington Post*, December 9, 1979.
7. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20; see also Richard Burt, "U.S. Report Says Soviet Attempts Deception on its Nuclear Strength," *The New York Times*, September 26, 1979, p 4.
8. *Military Implications of the Treaty on the Limitations of Anti-Ballistic Missile Systems and the Interim Agreement on the Limitation of Strategic Offensive Arms*, Hearing before the Committee on Armed Services, U.S. Senate, 92nd Congress, June-July 1972, p 544.
9. Bernard Weintraub, "Pentagon Aides Say Moscow Has Mobile Missiles Able to Reach Us," *The New York Times*, November 2, 1977; Sullivan, *Strategic Review*, Fall and Winter 1979; Sullivan, *Soviet SALT Deception*; Kemp, *Strategic Review*.
10. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20.
11. William T. Lee, *Understanding the Soviet Military Threat: How the CIA Estimates Went Astray* (National Strategy Information Center, 1976), p 43.
12. State Department SALT Compliance "White Paper," February 1978.
13. Garn, *Policy Review*, implicit in SALT II Treaty.
14. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23.
15. *Air Force Magazine*, September 1979, p 24.
16. *SALT II Reference Guide*, The White House, Spring 1979, questions and answers.
17. *Washington Post*, June 18, 1979, p A14; *Air Force Magazine*, September 1979, p 22; Rowland Evans and Robert Novak, "Violations of the Test Ban?," *Washington Post*, September 1979, p 5; *Congressional Record*, September 5, 1979, p H7354.
18. Senate Foreign Relations Committee, *Hearings on SALT II*, July 11, 1979, afternoon, pp 92-94; *The New York Times*, August 6, 1979; *ABC News*, July 20, 1979; *Washington Post*, August 1, 1979, p A21; William Safire, "The MiGs of April," *The New York Times*, April 1979; Statement by Dr. Kissinger to Senate Armed Services Committee, July 1979; *Air Force Magazine*, September 1979, p 22; "Soviet Brigade: How the U.S. Traced It," *The New York Times*, September 13, 1979; *ABC News*, October 1 and 5, 1979.
19. Bernard and Marion Kalb, *Kissinger* (Boston: Little Brown, 1974), p 320.
20. *Pravda*, August 7, 1978, quoted by Rostislav Tumkovskiy in "Soviet-American Talks on the Limitation of Strategic Arms," *Voprosy Istorii*, March 1979.

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21. Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20, implicit in SALT II Treaty text; Anderson, *Washington Post*, September 15, 1979; Daniloff, *Washington Post*, December 9, 1979; see also Raymond L. Garthoff, "SALT and the Soviet Military," *Problems of Communism*, January 1975.

22. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20; Burt, *The New York Times*, September 26, 1979, p 4.

23. Department of State, Analysis of SALT II Treaty, Selected Documents Number 12A, p 19.

24. Department of State SALT Compliance "White Paper," February 1978.

25. *Ibid.*

26. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20; Anderson, *Washington Post*, September 21, 1979; Evans and Novak, *Washington Post*, October 3, 1979; Evans and Novak, *Washington Post*, October 7, 1979.

27. *Air Force Magazine*, January 1979, p 18.

28. Department of State SALT Compliance "White Paper," February 1978.

29. *Air Force Magazine*, November 1979, p 22; see also Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23; Garn, *Strategic Review*, pp 19, 20; Anderson, *Washington Post*, September 21, 1979; Evans and Novak, *Washington Post*, October 3 and 7, 1979.

30. Department of State, Selected Documents Number 7, August 1979, p 5.

31. Congressman Jack Kemp, "The SS-19 and the New Soviet ICBMs Vis-a-Vis SALT," *Congressional Record*, August 2, 1979, p E4076.

32. *Izvestiya*, May 6, 1979.

33. Sullivan, *Strategic Review*, Winter and Fall 1979; Sullivan, *Soviet SALT Deception*; Garn, *Policy Review*, pp 30, 31; Kemp, *Strategic Review*, p 23.

34. Department of State, Selected Documents Number 7, February 1978, p 8.

35. *Ibid.*, p 13.

36. Garn, *Policy Review*, pp 30, 31.

37. "Zumwalt Disputes Policy on SALT," *Aviation Week and Space Technology*, January 19, 1976, p 46.

38. Kemp, *Congressional Record*, p E4076; see also David Kahn, "Cryptography Goes Public," *Foreign Affairs*, Fall 1979, p 148.

39. *Defense/Space Business Daily*, November 5, 1979, p 70.

40. Robert Lindsay, "Soviet Spies Got Data on Satellites Intended For Monitoring Arms Pact," *The New York Times*, April 29, 1979, p 1.

41. *Aerospace Daily*, April 16, 1979, p 226.

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